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August 12, 2008

The Honorable Susan Illston
United States District Court
Northern District of California
450 Golden Gate Avenue, Dept: 10, 19th Floor
San Francisco, CA 94101

Re: *Samuel B. Johnson III v. Chevron Corporation, et al.*
Northern District of California Case No. CV07-5756 SI

Dear Judge Illston:

This afternoon, Defendants Chevron Corporation and CEMC (collectively "Chevron") filed their Opposition to 1) Plaintiff Ex Parte Motion to Shorten Time to File Briefs Regarding Motion to Modify the Court's Scheduling Order and 2) Plaintiff's Motion to Modify the Court's Scheduling Order.

Because Plaintiff failed to provide timely notice of the Motion to Modify (the motion was filed July 29, 2008, with a hearing date of August 22, 2008, which required it to in fact have been filed July 18, 2008) and I was uncertain about whether an Opposition to Plaintiff's underlying Motion to Modify was yet due given that Plaintiff's Motion had been couched as an "Ex Parte Motion" for which I believed a subsequent order would set forth briefing dates, I hurriedly attempted to file today's Opposition as soon as possible. As a result, I did not complete review of the final page of Plaintiff's supporting Declaration, wherein Plaintiff does in fact identify the portions of the Scheduling Order which he seeks to modify and the proposed modification dates.

Having now reviewed that portion, Chevron withdraws its argument set forth in subsection A of its "Legal Arguments and Authorities." Chevron maintains, however, that both of the aforementioned Motions are without merit and should be denied for the additional reasons set forth in Chevron's Memorandum of Points and Authorities and Declaration of Delia Isvoranu in Support of Opposition to Plaintiff's Ex Parte Motion to Modify.

Respectfully submitted,



Delia A. Isvoranu

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